

MINUTES
MALIBU CITY COUNCIL
QUARTERLY MEETING
JANUARY 28, 2004
COUNCIL CHAMBERS
6:30 P.M.

CALL TO ORDER

Mayor Kearsley called the meeting to order at 6:02 p.m.

ROLL CALL

The following persons were recorded in attendance by the Recording Secretary:

PRESENT: Mayor Ken Kearsley, Councilmember Joan House and Councilmember Andrew Stern.

ABSENT: Mayor Pro Tem Barovsky and Councilmember Jennings.

ALSO PRESENT: Katie Lichtig, City Manager; Julia Adams, Administrative Services Director; Pete Lippman, City Treasurer; Vic Peterson, Environmental and Community Development Director/Building Official; Yugal Lall, Public Works Director/City Engineer; Paul Adams, Parks and Recreation Director; Craig George, Environmental and Building Safety Manager/Deputy Building Official; Michael Teruya, Planning Manager; Barbara Cameron, Grants Coordinator; Kim Nilsson, Project Manager; and Mary Linden, Recording Secretary.

FLAG SALUTE

City Treasurer Lippman led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION Councilmember Stern moved and Councilmember House seconded, a motion to approve the agenda. The motion carried 3-0, Councilmember Jennings and Mayor Pro Tem Barovsky absent.

REPORT ON POSTING OF AGENDA

Recording Secretary Linden reported the agenda had been properly posted on January 23, 2004.

PUBLIC COMMENTS

Lloyd Ahern discussed the need for a campaign monitor.

COUNCIL COMMENTS

Councilmember Stern discussed the West Nile virus and requested staff prepare a short presentation regarding the situation.

CONSENSUS

By consensus, the Council directed staff to set up a presentation regarding West Nile virus.

Mayor Kearsley reported that the City's adopted soldiers have begun returning home to the United States. He stated private contributions of \$10,000 have been collected for a party for them at Ft. Campbell, Kentucky. He stated the First Sergeant expressed appreciation to the City of Malibu.

ITEM 1 NEW BUSINESS

A. Second Quarter Financial Report

Staff recommendation: Receive staff's presentation of the financial report and authorize the appropriation of \$62,408 from the General Fund undesignated reserve for the following:

1. \$2,156 to the Grant Consultant's expense account to fund additional grant related expenses from the previous years appropriation;
2. \$12,902 to cover salary increases for the City Manager, Administrative Services Director and Parks and Recreation Director as previously approved by the City Council;
3. \$29,500 to the Parks and Recreation Department for additional program expenditures due to increased participation (This appropriation will be offset by additional revenues received for these programs.);
4. \$17,850 to cover the 18% increase in health insurance effective January 1, 2004 as previously approved by the City Council;
5. Approve the transfer of \$21,032.31 from the Permit Services budget program (#1002) and \$20,935.55 from the ECD Administration budget program (#2006) to the Planning program budget (#2001) to appropriately reflect the assignment of salaries and benefits of Planning staff to the Planning Division budget.

Administrative Services Director James presented the staff report. She discussed the status of the vehicle license fees and backfill.

City Treasurer Lippman discussed the status of the City Treasurer's Cash and Investments Report. He stated alternative investment options would be included on the agenda for the next Council meeting.

MOTION Councilmember House moved and Councilmember Stern seconded a motion to receive staff's presentation of the financial report and authorize the appropriation of \$62,408 from the General Fund undesignated reserve for the following:

1. \$2,156 to the Grant Consultant's expense account to fund additional grant related expenses from the previous years appropriation;
2. \$12,902 to cover salary increases for the City Manager, Administrative Services Director and Parks and Recreation Director as previously approved by the City Council;
3. \$29,500 to the Parks and Recreation Department for additional program expenditures due to increased participation (This appropriation will be offset by additional revenues received for these programs.);
4. \$17,850 to cover the 18% increase in health insurance effective January 1, 2004 as previously approved by the City Council;
5. Approve the transfer of \$21,032.31 from the Permit Services budget program (#1002) and \$20,935.55 from the ECD Administration budget program (#2006) to the Planning program budget (#2001) to appropriately reflect the assignment of salaries and benefits of Planning staff to the Planning Division budget.

The motion carried 3-0, Councilmember Jennings and Mayor Pro Tem Barovsky absent.

B. Second Quarter Fiscal Year 2003-2004 Work Program Status Reports

1. Administrative Services

Administrative Services Director James presented the staff report. She discussed the concerns listed in the Auditors' letter for the City's annual report. She stated the Auditors recommended that the Finance Department oversee the City's grants program.

In response to Councilmember House, City Treasurer Lippman acknowledged the City's need for a new financial program.

Councilmember House requested staff provide a detailed accounting of the item entitled Governmental Expenditure by Function - Legislative Advisory in the Comprehensive Annual Financial Report.

In response to Councilmember House question about noise during filming, Project Manager Nilsson discussed the noise ordinance. She stated the City does not register decibel levels of noise affiliated with filming. She discussed the complaints received from the residents of Bonsall Drive regarding filming there in November.

Councilmember House suggested the matter of noise levels be directed to the Public Safety Subcommittee.

Councilmember Stern suggested noise issues be discussed by the Filming Ad Hoc Committee.

Mayor Kearsley discussed the differences in noise levels of film production and music video production. He suggested disallowing outside filming on Saturdays and Sundays. He suggested no outside-amplified music be permitted.

Councilmember House recommended referring to discussions held regarding Windsail outdoor music as a guideline.

CONSENSUS

By consensus, the Council directed the reestablishment of the Filming Ad Hoc Committee to discuss the noise ordinance.

In response to Councilmember House, Administrative Services Director James reported on the status of the Dial-a-Ride program.

2. Environmental and Community Development Department

Environmental and Community Development Director/Building Official Peterson presented the staff report.

Deputy Building Official George discussed the status of Wastewater Management Goals and Objectives. He reported that staff would be discussing the Memorandum of Understanding (MOU) with representatives of the Los Angeles Regional Water Quality Control Board (LARWQCB).

Planning Manager Teruya discussed the status of Council Priority projects, including the Schultz and La Paz Environmental Impact Reports (EIRs), zone text amendments on basements and a hillside ordinance. He discussed the Planning Department's input on the Local Coastal Program (LCP).

In response to Councilmember Stern, Planning Manager Teruya explained the reasons why staff was presenting the hillside management ordinance to the new Planning Commission.

Environmental and Community Development Director/Building Official Peterson reported that he had met with two of the three new Planning Commissioners. He stated he had introduced them to key staff members.

In response to Councilmember House, Environmental and Community Development Director/Building Official Peterson explained how staff planned to handle the large volume of new applications when the LCP was approved. He stated the plan would include educating the Council and the community regarding the new application program.

In response to Councilmember Stern, Environmental and Community Development Director/Building Official Peterson explained that applicants who received in-concept approval under the Interim Zoning Ordinance (IZO) would be subject to compliance with the new LCP. City Manager Lichtig added that each applicant would be required to go through plan check.

Councilmember House commended staff for streamlined time management. Environmental and Community Development Director/Building Official Peterson reported that phone calls were being returned no later than the day after they were received. He discussed cross training of staff, ensuring that the Planning Department was always represented at the counter.

Councilmember House stated the Quality Assurance Committee (QAC) was a great addition to project management.

In response to Mayor Kearsley, Environmental and Community Development Director/Building Official Peterson explained that multi-sourcing of outsourcing is a key objective. City Manager Lichtig explained that departments were working together on this

program.

Environmental and Community Development Director/Building Official Peterson commended Permit Services Manager Sumpter's efforts.

Norm Haynie congratulated Environmental and Community Development Director/Building Official Peterson, Environmental and Building Safety Manager/Deputy Building Official George and Planning Manager Teruya for a great job. He asked if applicants could join in QAC discussions.

Environmental and Community Development Director/Building Official Peterson stated that the client could be asked for input after staff had discussed the project. Planning Manager Teruya explained that QAC was established to ensure consistency and accuracy resulting from unfettered discussion by professional planners. He stated that applicants could present questions to the committee, the Planning Manager or the Environmental Community Director if they desired.

3.a. Public Works/Engineering Department

Public Works Director/City Engineer Lall presented the staff report.

Councilmember Stern complimented Public Works Director/City Engineer Lall for his exceptional customer service.

In response to Councilmember House, Public Works Director/City Engineer Lall explained that work being done at Big Rock was being done by Caltrans.

City Manager Lichtig reiterated staff's intent to work with community members on implementation of Safe Routes to School projects. She commended Public Works Director/City Engineer Lall for his creative solutions to expedite the stormwater treatment project.

Councilmember Stern expressed concern about Caltrans' response to requests to clean Las Flores Creek. City Manager Lichtig reported that staff had expressed similar concerns to Caltrans, as well as legislative representatives. She stated staff was performing

hydraulic studies.

Public Works Director/City Engineer Lall reported that Caltrans had environmental concerns about cleaning the Las Flores Creek drainage courses. Councilmember Stern recommended staff continue to pressure Caltrans to do more work to protect surrounding properties.

In response to Councilmember House, City Manager Lichtig stated staff would report back to the Council on billable hours attributable to accounting for the Malibu waste stream.

Councilmember House stated she had a flyer from Seattle displaying what materials may or may not be recycled. She suggested that this type of information be included in the City's newsletter and on its website.

Councilmember House commended staff for their quick response to reports of potholes. She requested staff put pressure on Caltrans to respond as quickly to reports of potholes on Pacific Coast Highway.

3.b. Capital Improvement Projects Status Report

Public Works Director/City Engineer Lall indicated that staff was in the process of establishing goals for the next fiscal year. He indicated work on some streets was postponed because of the Water District's proposal to construct a water line. City Manager Lichtig indicated that that was the subject of the next presentation.

3.c. Presentation by Los Angeles County Department of Public Works Waterworks & Sewer Maintenance Division regarding operations of Water District # 29

Manuel del Real, Assistant Deputy Director, Los Angeles County Public Works, Waterworks & Sewer Maintenance Division, introduced Adam Ariki, P.E., Principal Engineer, Los Angeles County Public Works, Waterworks & Sewer Maintenance Division, and Greg Even, P.E., Senior Civil Engineer, Los Angeles County Public Works, Waterworks & Sewer Maintenance Division. Mr. del Real presented the report regarding operations of Water District #29. He explained that no water in the district comes from wells; rather, all water in the district comes from the

West Basin. He reported that most work was being done to replace small diameter pipes with larger diameter pipes.

In response to Mayor Kearsley, Mr. del Real reported that the average life of a pipeline was 30-50 years.

City Manager Lichtig reported that staff would continue to meet with District 29 representatives and would report back to the Council. She reported that John Mundy had been appointed as General Manager of the Water District.

Mr. Ariki reported there was a willing agreement between the County Water District and the Las Virgenes Municipal Water District regarding a second water connection at the west end of the City. He indicated work on this agreement continues.

Councilmember Stern thanked the Water District representatives for their presentation.

4. Parks and Recreation

Parks and Recreation Director Adams presented the staff report.

In response to Councilmember House, Parks and Recreation Director Adams described job skill training provided to local teens. He stated the department was working with the Youth Commission to expand the program.

Councilmember House congratulated Parks and Recreation Director Adams for his work to expand programs.

Mayor Kearsley commended staff for their work with the Native American Cultural Resource Advisory Committee (NACRAC) during recent disputes.

5. City Clerk

City Manager Lichtig presented the staff report.

Councilmember Stern commended staff for offering the passport acceptance program.

6. City Attorney

There were no remarks.

7. City Manager

City Manager Lichtig presented the staff report.

She reported that a Council Of Government (COG) meeting would be hosted by the City of Malibu on the evening of February 26, 2004. She stated the main topic of the meeting would be the results of a survey of COG area issues, including traffic on Pacific Coast Highway.

In response to Mayor Kearsley, Grants Coordinator Cameron indicated that staff would report on the amount of grants awarded year to date.

Councilmember House stated she was glad to see there were no fatalities in the last quarter. She commended the Sheriffs for their presence, especially on Pacific Coast Highway, that resulted in that statistic.

Mayor Kearsley acknowledged the positive results of the presence of a laser officer on Pacific Coast Highway. In response to Mayor Kearsley, City Manager Lichtig reported that staff had selected six locations for installation of speed signs that could capture traffic data and reduce traffic speed.

Councilmember House presented a modified design of the City logo produced by Ray Singer. She commended Mr. Singer for continuing to work on this project.

C. Second Quarter Fiscal Year 2003-2004 Council Goals Status Report

City Manager Lichtig presented the staff report.

Councilmember House stated she was glad to see the Trancas Park project was near finalization.

Councilmember Stern commended staff for a tremendous job. He stated he was very impressed with new staff.

Councilmember House reported that she had met with Hayden Sohm regarding the pier. She reported that he had told her the agreement had not yet been signed. She stated that the sinking fund was a sticking point. She reported that programs will be available at the pier until the contract is signed.

ADJOURN At 8:10 p.m., Councilmember House moved and Councilmember Stern seconded a motion to adjourn. The motion carried 3-0, Councilmember Jennings and Mayor Pro Tem Barovsky absent.

Approved and adopted by the City Council of
the City of Malibu on March 22, 2004.

KENNETH KEARSLEY, Mayor

ATTEST:

LISA POPE, City Clerk
(seal)